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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ELIZABETH BAKALAR,

Plaintiff,

v.

MICHAEL J. DUNLEAVY; in his
individual and official capacities;
TUCKERMAN BABCOCK; and the
STATE OF ALASKA,

Defendants.

Case No. 3:19-cv-00025-JWS

**JOINT MOTION FOR EXTENSION
OF PRETRIAL DEADLINES**

The COVID-19 pandemic has delayed the Parties' discovery efforts and the process of litigation in general. Thus, the Parties respectfully request a two-month extension of deadlines in the August 25, 2019 Scheduling and Planning Order (Dkt. 36).

In its initial Miscellaneous General Order, the District Court recognized what the Parties and their counsel in this matter, and in the companion litigation *Blanford and Bellville v. Dunleavy, Babcock, and the State of Alaska*, 3:19-cv-00036-JWS, have

experienced – that “[g]overnment attorneys, private attorneys, and clients have been impacted by [Covid-related] restrictions, closures, and cutbacks, making it difficult to proceed with discovery and other aspects of civil litigation as previously scheduled.” (Miscellaneous General Order 20-11.) More recently, the District Court noted, “COVID-19 measures may still impact attorneys and their clients, making it difficult to proceed with discovery and other aspects of civil litigation as previously scheduled,” and indicated, “[M]otions for further extensions may be made to the judge assigned to the matter.” (Miscellaneous General Order 20-20.)

Counsel on both sides have elementary-aged children, and home-schooling obligations and childcare disruption required them to cut back significantly on workload. Further, their ability to interact with clients and witnesses was impeded. Nevertheless, through Alaska’s “hunker down,” the Parties continued with written discovery and document production, and they expect to conclude that aspect of litigation in the next month. The Parties then expect to proceed with witness depositions.

The State and its citizens, including the Parties and their counsel, must continue to prioritize COVID-considerations. Logistics and scheduling of depositions is more complicated, and it is likely that witnesses will face the same difficulties and restrictions discussed regarding the counsel for the Parties. The Parties believe that adding two months to the pretrial schedule will provide flexibility to accomplish remaining discovery in an orderly manner. The Parties jointly request the follow deadline extensions:

Final Discovery Witness List – July 31, 2020

Date of Completion of Discovery – October 2, 2020

Discovery Motion Deadline – October 2, 2020

Dispositive Motion Deadline – October 2, 2020

Motion in Limine Deadline – October 2, 2020

ACLU OF ALASKA FOUNDATION
Attorneys for Plaintiff

Dated: July 9, 2020

By s/ Stephen Koteff (w/consent)
Stephen Koteff, ABA No. 9407070
Joshua A. Decker, ABA No. 1201001

LANE POWELL LLC
Attorneys for Defendants

Dated: July 9, 2020

By s/ Michael B. Baylous
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I certify that on July 9, 2020, a copy of
the foregoing was served electronically on:

Stephen Koteff, skoteff@acluak.org
Joshua Decker, jdecker@acluak.org

s/ Michael B. Baylous

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